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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,806	04/30/2001	Futoshi Hachimura	862.1431 Div.	2367
5514	7590	06/17/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SHARMA, SUJATHA R	
			ART UNIT	PAPER NUMBER

2684

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,806

Applicant(s)

HACHIMURA ET AL.

Examiner

Sujatha Sharma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 45-55,58,61-63,66,72,75 and 78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 45-55,58,61-63,66,72,75 and 78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 45,47-50,52-55,58,72, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto [US 5,255,308] in view of Imamura [JP 63261947].

Regarding claims 45,50,55,58,72 Hashimoto discloses a wide area cordless telephone system capable of receiving incoming group address calls. Hashimoto further discloses:

- A link establishing unit (access units 4 in Fig. 1) adapted to establish links between the control apparatus (radio control unit 3 in Fig. 1) and the first and second communication apparatuses (mobile units 5 in Fig. 1) respectively in accordance with the detection of an incoming call; See col. 1, lines 42-61
- A link maintaining unit (access unit 4 in fig. 1) adapted to maintain the link between the control apparatus (radio control unit 3 in fig. 1) and the second communication apparatus even if the first communication apparatus responds to the incoming call and starts communication with a communication partner. See col. 1, lines 42-61, col. 3, lines 10-20, and col. 4, lines 30-57.

Hashimoto, however does not disclose a method and system comprising:

- A discrimination unit adapted to discriminate a response to the incoming call of the first communication apparatus

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- a detection unit adapted to detect a predetermined event which occurs after said discrimination unit discriminates the response of the first communication apparatus
- a cut unit adapted to cut the link between the-control apparatus and the second communication apparatus maintained by said link maintaining unit in accordance with detection of the predetermined event by said detection unit.

Imamura, in the same field of endeavor, teaches a method comprising:

- A discrimination unit adapted to discriminate a response to the incoming call of the first communication apparatus (see abstract where the ringing of the extensions are stopped when the first phone goes off-hook)
- a detection unit adapted to detect a predetermined event which occurs after said discrimination unit discriminates the response of the first communication apparatus (see abstract, the event being when the first apparatus B1 responds with an off-hook or either busy or does not answer)
- a cut unit adapted to cut the link between the-control apparatus and the second communication apparatus maintained by said link maintaining unit in accordance with detection of the predetermined event by said detection unit (see abstract wherein when extension B1 responds first, then ringing is cut off for the rest of the phones/extensions)

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Imamura to Hashimoto in order to make the acceptance of the incoming call more efficient and shorten the waiting time of the caller.

Regarding claims 47,48,49,52,53,54, Imamura further discloses a method wherein the detection unit detects that a pre-determined time has passed after the first communication apparatus responds to the incoming call (see abstract where the prescribed time has passed after the extension B1 responds with a busy response).

3. Claims 46,51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto [US 5,255,308] and Imamura [JP 63261947] in view of Mizikovsky [US 5,559,860].

Regarding claim 46,51, Hashimoto as modified by Imamura discloses all the limitations as claimed. However he does not disclose the cordless unit to be one with voice and data capabilities.

Mizikovsky teaches a method wherein the wireless control unit handles both voice and data communications and a communication link is maintained upon recognition of the voice and data communication link. See summary of invention, col. 7, lines 5-50

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Mizikovsky to modified Hashimoto in order to provide a composite access point apparatus to the user with economical advantages and further the communications system can thus be integrated into a packet-switching communication network with little expenditure which is an advantageous characteristic particularly with regard to the present development of ever more powerful packet-switching communication networks.

4. Claims 61, 66 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto [US 5,255,308] and Childress [US 4,682,367] in view of Bales [US 5,369,694].

Regarding claims 61,66 and 75, Hashimoto discloses all the limitations as claimed.

However he does not disclose a method the third apparatus communicates with the first and second apparatus and the channel maintaining unit is adapted to maintain a communication channel used for communication with the second apparatus while the first apparatus communicates with the third apparatus.

Childress teaches a method for mobile radio communication with a join feature. Childress discloses a method where a third apparatus can join in the communication channel that is already in place between the first and second apparatus and thus continuing the communication channel to be used between the first and the third apparatus as in teleconferencing. See col. 5, lines line 27 – col. 6, line 32.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Childress to Hashimoto in order facilitate a conference call between the various users.

Hashimoto and Childress, however do not disclose a method comprising:

a disconnection unit adapted to disconnect the communication channel maintained by said channel maintaining unit in accordance with detection of the predetermined event by said detection unit.

Bales, in the same field of endeavor, teaches a method comprising:

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a disconnection unit adapted to disconnect the communication channel maintained by said channel maintaining unit in accordance with detection of the predetermined event by said detection unit. See col. 7, lines 34-38, col. 12, lines 3-8 and lines 44-49 where the second communication apparatus is disconnected after the first and the third apparatuses are in a conference call.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Bales to Childress and Hashimoto in order to efficiently establish a conference call between the various users.

5. Claim 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto [US 5,255,308] and Childress [US 4,682,367] in view of Bales [US 5,369,694] and further in view of Mizikovsky [US 5,559,860].

Regarding claim 62, Hashimoto as treated in claim 61 discloses all the limitations as claimed. However he does not disclose the cordless unit to be one with voice and data capabilities.

Mizikovsky teaches a method wherein the wireless control unit handles both voice and data communications and a communication link is maintained upon recognition of the voice and data communication link. See summary of invention, col. 7, lines 5-50

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Mizikovsky to modified Hashimoto in order to provide a composite access point apparatus to the user with economical advantages and further the communications system can thus be integrated into a packet-switching communication network with little expenditure which is an

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advantageous characteristic particularly with regard to the present development of ever more powerful packet-switching communication networks.

6. Claims 63,78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto [US 5,255,308] and Childress [US 4,682,367] in view of Bales [US 5,369,694] and further in view of Imamura [JP 63261947].

Regarding claims 63,78 Hashimoto as treated in claim 61 discloses all the limitations as claimed. However he does not disclose a method wherein said detection unit detects that a pre-defined time has been passed after the communication between the first apparatus and the third apparatus is started.

Imamura, in the same field of endeavor, teaches a method wherein the detection unit detects that a pre-determined time has passed after the first communication apparatus communicates with a second or third communication apparatus (see abstract where the prescribed time has passed after the extension B1 responds with a busy response).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Imamura to modified Hashimoto in order to make the acceptance of the incoming call more efficient.

Response to Arguments

7. Applicant's arguments with respect to claims 4/18/05 has been considered but is moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Harlow [US 5,206,901] Method and apparatus for alerting multiple telephones for an incoming call

McKendry [US 5,768,356] User programmable personal call manager

Pinard [US 5,454,032] Method of establishing communication link to one of multiple devices associated with single telephone number


Andrew [US 5,502,762] System and method for simultaneously controlling ringing at local and remote telephones

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sujatha Sharma
June 6, 2005

EDAN ORGAD
PATENT EXAMINER/TELECOMM.

Ex. 1/6/05